

August 20, 2018

BY ELECTRONIC FILING

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: NOTICE OF EX PARTE

PS Docket No. 16-269: *Procedures for Commission Review of State Opt-Out Requests from the FirstNet Radio Access Network;*

PS Docket No. 12-94: *Implementing Public Safety Broadband Provisions of the Middle-Class Tax Relief and Job Creation Act of 2012;*

PS Docket No. 06-229: *Implementing a Nationwide, Broadband, Interoperable Public Safety Network in the 700 MHz Band;*

WT Docket No. 06-150: *Service Rules for the 698-746, 747-762 and 777-792 MHz Bands;*

WT Docket No. 12-69: *Promoting Interoperability in the 700 MHz Commercial Spectrum*

Dear Ms. Dortch:

Competitive Carriers Association (“CCA”)¹ submits this *ex parte* in support of the Colorado Public Safety Broadband Governing Body’s (“CPSBGB”) Request for Clarification from the Federal Communications Commission (“FCC” or “Commission”) on Guidelines for Commercial Network Interoperability for the Nationwide Public Safety Broadband Network (the “Petition”).² The Commission should promptly place the Petition on Public Notice to allow additional parties the opportunity to weigh in on critical interoperability issues.

CCA has been at the forefront of helping to ensure interoperability across broadband networks.³ CCA was instrumental in working with the FCC and industry stakeholders to obtain 700 MHz interoperability, and CCA previously submitted comments on potential issues related to FirstNet’s interoperability with state opt-out plans.⁴ As such, CCA hereby asks the Commission to seek input on whether certain interoperable standards are being met with respect to the FirstNet network. CCA echoes the troubling concerns expressed

¹ CCA is the nation’s leading association for competitive wireless providers and stakeholders across the United States. CCA’s membership includes nearly 100 competitive wireless providers ranging from small, rural carriers serving fewer than 5,000 customers to regional and national providers serving millions of customers. CCA also represents associate members including vendors and suppliers that provide products and services throughout the mobile communications supply chain.

² See, “The Colorado Public Safety Broadband Governing Body’s Request for Commission Clarification on Guidelines for Commercial Network Interoperability for the Nationwide Public Safety Broadband Network,” PS Docket Nos. 16-269, 12-94, 06-229, WT Docket No. 06-150 (filed July 6, 2018) (“Petition”).

³ See, *Promoting Interoperability in the 700 MHz Commercial Spectrum*, Report and Order, WT Docket No. 12-69 (rel. Oct. 29, 2013); *Procedures for Commission Review of State Opt-Out Requests from the FirstNet Radio Access Network*, Report and Order, FCC 17-75, PS Docket No. 16-269 (rel. June 22, 2017).

⁴ See, Comments of Competitive Carriers Association, PS Docket No. 16-269 (filed July 17, 2017).

in the Petition and recent submissions in the record by C Spire,⁵ Southern Linc,⁶ and Verizon⁷ regarding interoperability. The Commission should take immediate action to ensure that FirstNet's interoperability obligations are met.⁸ First responders must be able to securely and directly communicate with other jurisdictions or agencies. CCA agrees with the CPSBGB that the Commission should provide additional guidance to ensure prioritized interoperability is achieved and to avoid scenarios where first responders experience implementation issues in emergency situations, essentially leaving them unable to communicate.

The Commission's broad licensing authority grants it the ability to ensure that FirstNet acts in accordance with statutory responsibilities,⁹ including implementing its network in a manner that satisfies minimum criteria.¹⁰ Accordingly, the Commission should clarify that FirstNet must ensure interoperability is supported at all levels, including carrier-to-carrier interoperability, over-the-top applications, "sharing priority and preemption protocols, applications, local control, non-mission critical and mission critical PTT communications and off-air device to device communications."¹¹ Consequently, CCA urges the Commission to place the Petition on Public Notice to allow for comment on this critical issue.

This *ex parte* notification is being filed electronically with your office pursuant to Section 1.1206 of the Commission's rules. Please do not hesitate to contact me with any questions or concerns.

Respectfully submitted,

/s/ Rebecca Murphy Thompson

Rebecca Murphy Thompson
EVP & General Counsel
Competitive Carriers Association

cc (via email): Zenji Nakazawa
Erin McGrath
Will Adams
Travis Litman
Umair Javed

⁵ Ex Parte Letter of Benjamin M. Moncrief, C Spire, to Marlene Dortch, Secretary, FCC, PS Docket Nos. 16-269, 12-94, 06-229, WT Docket No, 06-150 (filed July 26, 2018) ("C Spire Letter").

⁶ Ex Parte Letter of Michael D. Rosenthal, Southern Linc, to Marlene Dortch, Secretary, FCC, PS Docket Nos. 16-269, 12-94, 06-229, WT Docket No, 06-150 (filed August 7, 2018).

⁷ Ex Parte Letter of Robert Morse, Assistant General Counsel – Federal Regulatory and Legal Affairs, Verizon, to Marlene H. Dortch, Secretary, FCC, PS Docket No. 16-269 (filed July 12, 2018).

⁸ See, C Spire Letter.

⁹ See, *Procedures for Commission Review of State Opt-Out Requests from the FirstNet Radio Access Network et al.*, Report and Order and Notice of Proposed Rulemaking, 31 FCC Rcd. 10253 ¶ 45 (2016).

¹⁰ See, *Recommended Minimum Technical Standards Requirements to Ensure Nationwide Interoperability for the Nationwide Public Safety Broadband Network*, Technical Advisory Board for First Responder Interoperability, Objective, 20, at 3.1, (May 22, 2012), available at <https://docs.fcc.gov/public/attachments/FCC-12-68A3.pdf>.

¹¹ See, C Spire Letter at 2.